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PPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/386,646	08/31/1999	PIERRE C. FAZAN	660073.488D1	1639		
27076	7590 04/08/2004		EXAM	EXAMINER		
	& WHITNEY LLP	VU, HUNG K				
INTELLECT SUITE 3400	TUAL PROPERTY DEPAR	ART UNIT	PAPER NUMBER			
1420 FIFTH	AVENUE	2811				
SEATTLE,	WA 98101	DATE MAILED: 04/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	No.	Applicant(s)					
Office Action Summary		09/386,646		FAZAN ET AL.					
		Examiner		Art Unit					
		Hung K. Vu		2811					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply									
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed atter SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).									
Status									
1) Responsive to communication(s) filed on <u>17 December 2003</u> .									
2a) This action is FINAL									
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition of Claims									
4)⊠ Claim(s) <u>44-52,54 and 57-68</u> is/are pending in the application.									
4a) Of the above claim(s) is/are withdrawn from consideration.									
5)⊠ Claim(s) <u>44-52,54,57-68</u> is/are allowed.									
6) Claim(s) is/are rejected.									
7) Claim(s) is/are objected to.									
8) Claim(s) are subject to restriction and/or election requirement.									
Application Papers									
9) The specification is objected to by the Examiner.									
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.									
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).									
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).									
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.									
Priority under 35 U.S.C. § 119									
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).									
a) All b) Some * c) None of:									
1. Certified copies of the priority documents have been received.									
2. Certified copies of the priority documents have been received in Application No									
3. Copies of the certified copies of the priority documents have been received in this National Stage									
application from the International Bureau (PCT Rule 17.2(a)).									
* See the attached detailed Office action for a list of the certified copies not received.									
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Attachment(s) 1) Notice of References Cited (F	PTO-802)		4) Interview Summar	v (PTO-413)					
2) Notice of Draftsperson's Pate			Paper No(s)/Mail [Date	0.450)				
3) Information Disclosure Stater	ment(s) (PTO-1449 or PTO/SB/08	8)	5) Notice of Informal 6) Other:	Patent Application (PT	U-152)				
Paper No(s)/Mail Date									

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DETAILED ACTION

Claim Objections

1. Claims 44-45, 49-50, 52, 54, 59, 63, 65 and 67 are objected to because of the following informalities:

In claim 44, line 10, delete "the second gate layer for the portion of"

In claims 45 and 46, line 2, delete "the second gate layer of".

In claim 49, line 10, delete "the second gate layer for the portion of"

In claim 50, line 2, delete "the second gate layer of".

In claim 52, lines 2-3, delete "the second gate layer of".

In claim 54, lines 7-8, change "the level" to "a level" (two occurrences).

In claim 54, line 11, change "the upper" to "an upper".

In claim 54, last two lines, change "and a having" to "and having a".

In claim 59, lines 7-8, change "the level" to "a level" (two occurrences).

In claim 63, line 2, delete "the second polysilicon layer of".

In claim 65, line 10, delete "the second polysilicon layer of".

In claim 67, line 2, delete "the second polysilicon layer of".

Appropriate correction is required.

Allowable Subject Matter

2. Claims 44-52, 54 and 57-68 are allowed.

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Conclusion

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3. This application is in condition for allowance except for the following formal matters: as stated above.

Prosecution on the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung K. Vu whose telephone number is (571) 272-1666. The examiner can normally be reached on Mon-Thurs 6:00-3:30, alternate Friday 7:00-3:30, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (571) 272-1732. The Central Fax Number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Vu

March 22, 2004

Hung Vu

Patent Examiner